

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

Cung Le, Nathan Quarry, Jon Fitch, Brandon Vera, Luis Javier Vazquez, and Kyle Kingsbury, on behalf of themselves and all others similarly situated,

Plaintiffs.

V.

Zuffa, LLC, d/b/a Ultimate Fighting Championship and UFC,

Defendant.

Case No.: 2:15-cv-01045-RFB-BNW

**[PROPOSED] ORDER REGARDING
PLAINTIFFS' MOTIONS IN LIMINE
NOS. 1 TO 20**

1 HAVING CONSIDERED PLAINTIFFS' MOTIONS IN LIMINE, the Court hereby orders
2 as follows:

3 1. PMIL No. 1 to Strike Defendant's Untimely Disclosed Witnesses from Defendant's

4 Witness List and Exclude the Untimely Witnesses from Testifying at Trial

5 GRANTED: _____

6 DENIED: _____

7 2. PMIL No 2. to Exclude Expert Testimony, Opinions, and Evidence That Was Not Timely
8 Disclosed

9 GRANTED: _____

10 DENIED: _____

11 3. PMIL No. 3 to Exclude Evidence or Reference Relating to Facts, Circumstances, or
12 Events Occurring After June 30, 2017

13 GRANTED: _____

14 DENIED: _____

15 4. PMIL No. 4 to Exclude Zuffa's Economists, Including Robert H. Topel, From Offering
16 Unsupported Opinions that Zuffa Would Have Spent Less Money on Promoting Fighters
17 or Bouts Absent the Challenged Conduct Under Fed. R. Evid. 702.

18 GRANTED: _____

19 DENIED: _____

20 5. PMIL No. 5 to Exclude the Testimony of Richard Marks Under Fed. R. Evid. 401 and
21 403

22 GRANTED: _____

23 DENIED: _____

1 6. PMIL No. 6 to Exclude Testimony and Argument That Plaintiffs' Experts Failed to
2 Disaggregate Damages

3 GRANTED: _____

4 DENIED: _____

5
6 7. PMIL No. 7 to Exclude Testimony and Argument That Dr. Hal Singer Failed to
7 Appropriately Aggregate Damages

8 GRANTED: _____

9 DENIED: _____

10
11 8. PMIL No. 8 to Exclude Evidence or Argument that the Class or Any Class Member
12 Failed to Mitigate Damages

13 GRANTED: _____

14 DENIED: _____

15
16 9. PMIL No. 9 to Exclude Evidence of or Reference to Plaintiffs' Allegedly Failed Ped Tests
17 at Any Times They Were Not Under Contract with the UFC

18 GRANTED: _____

19 DENIED: _____

20
21 10. PMIL No. 10 to Exclude Evidence of or Reference to Contracts Between Universal
22 Strength Headquarters and Its Employees, or Between Plaintiff Cung Le and Universal
23 Strength Headquarters Employees

24 GRANTED: _____

25 DENIED: _____

1 11. PMIL No. 11 to Exclude Evidence of or Reference to Plaintiffs' Non-UFC Businesses

2 GRANTED: _____

3 DENIED: _____

4

5 12. PMIL No. 12 to Exclude Evidence of or Reference to the Proposed Identity Class

6 GRANTED: _____

7 DENIED: _____

8

9 13. PMIL No. 13 to Exclude Evidence of Economic Benefits or Charitable Contributions of

10 Zuffa or the UFC to the Las Vegas Community or Any Other Geographic Region

11 GRANTED: _____

12 DENIED: _____

13

14 14. PMIL No. 14 to Exclude Speculation by Lay Witnesses or Unsubstantiated Opinions of

15 Zuffa's Proposed Experts Regarding the Financial Condition of Promoters that Zuffa

16 Acquired Between 2006 and 2011

17 GRANTED: _____

18 DENIED: _____

19

20 15. PMIL No. 15 to Exclude Evidence of or Reference to Zuffa or UFC Serving as a Business

21 School Case Study, Including Without Limitation Evidence Relating to Proposed Dx-794

22 GRANTED: _____

23 DENIED: _____

1 16. PMIL No. 16 to Exclude UFC Video Clips that are (1) Hearsay; (2) Unauthenticated; (3)
2 Lack Sponsoring Witnesses, (4) Were Not Produced in Discovery, (5) are Subject to
3 Exclusion Based on Other Motions in Limine; and, (6) Not Relevant to Any Claim or
4 Defense in This Litigation

5 GRANTED: _____

6 DENIED: _____

7
8 17. PMIL No. 17 to Exclude Reference or Argument About the Effect of a Verdict in this
9 Case on the Las Vegas Community or Any Other Geographic Region

10 GRANTED: _____

11 DENIED: _____

12
13 18. PMIL No. 18 to Exclude Evidence Concerning Events, Conduct, or Facts Where Zuffa
14 Objected to and Did Not Produce Discovery Concerning Such Events, Conduct, or Facts

15 GRANTED: _____

16 DENIED: _____

17
18 19. PMIL No. 19 to Preclude Evidence of or Reference to Regulatory Investigations or
19 Inaction

20 GRANTED: _____

21 DENIED: _____

22
23 20. PMIL No. 20 to Exclude Reference to Purported Past Relationships Between Parties'
24 Counsel and Expert Witnesses

25 GRANTED: _____

26 DENIED: _____

DATED:

The Honorable Richard F. Boulware, II
UNITED STATES DISTRICT JUDGE